



General Assembly

**Substitute Bill No. 1237**

January Session, 2005

\* SB01237HS 042705 \*

**AN ACT CONCERNING COMMUNITY-BASED MENTAL HEALTH CARE.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective July 1, 2005*) (a) On or before June 30,  
2 2006, the Commissioner of Mental Health and Addiction Services, in  
3 consultation with the Commissioner of Children and Families, the  
4 Chief Information Officer of the Department of Information  
5 Technology and the Community Mental Health Strategy Board,  
6 established under section 17a-485b of the general statutes, shall  
7 provide for the development, implementation, promotion and  
8 maintenance of a single resource web site to provide timely access to  
9 mental health care information and assistance for children, adolescents  
10 and adults. The resource web site shall include, but not be limited to:  
11 (1) Directory information on available federal, state, regional and  
12 community assistance, programs, services and providers; (2) current  
13 mental health diagnoses and treatment options; (3) links to national  
14 and state advocacy organizations, including legal assistance; (4)  
15 summary information on federal and state mental health law,  
16 including private insurance coverage; and (5) an optional, secure  
17 personal folder for web site users to manage information concerning  
18 their individual mental health care and assistance.

19 (b) On or before January 1, 2008, the Commissioner of Mental

20 Health and Addiction Services, in consultation with the Commissioner  
21 of Children and Families, the Chief Information Officer of the  
22 Department of Information Technology and the Community Mental  
23 Health Strategy Board, established under section 17a-485b of the  
24 general statutes, shall provide for the development, implementation,  
25 promotion and maintenance of toll-free telephone line for mental  
26 health care screening, assistance and follow-up for adults and families  
27 and other caregivers of children and adolescents.

28       Sec. 2. (NEW) (*Effective July 1, 2005*) On or before January 1, 2007,  
29 the Commissioner of Mental Health and Addiction Services, in  
30 consultation with the Community Mental Health Strategy Board,  
31 established under section 17a-485b of the general statutes, shall  
32 provide for the development and implementation of training programs  
33 for parents and families, early childhood providers and educators,  
34 school and higher education professionals, police, senior center staff  
35 and general pediatric, family medicine and geriatric health care  
36 professionals to improve mental health awareness, early identification  
37 and referral.

38       Sec. 3. (NEW) (*Effective from passage*) (a) On or before December 31,  
39 2005, the Commissioner of Social Services, in consultation with the  
40 Commissioner of Mental Health and Addiction Services and the  
41 Community Mental Health Strategy Board, established under section  
42 17a-485b of the general statutes, shall take such action as is necessary  
43 to amend the Medicaid state plan to provide optional adult  
44 rehabilitation services that include assertive community treatment  
45 teams to provide intensive, integrated, multidisciplinary services to  
46 adults with severe psychiatric disabilities, including, but not limited to,  
47 persons who are homeless, persons diverted or discharged from in-  
48 patient programs or nursing homes and persons diverted or released  
49 from correctional facilities, or who are at risk of incarceration. Such  
50 teams shall provide intensive community care management through  
51 case managers, nurses and physicians and shall include, but not be  
52 limited to, vocational, peer and substance abuse specialists. The  
53 Commissioner of Social Services, in consultation with the

54 Commissioner of Mental Health and Addiction Services, shall adopt  
55 regulations, in accordance with the provisions of chapter 54 of the  
56 general statutes, for purposes of establishing the services specified in  
57 this subsection. The Commissioner of Social Services shall implement  
58 policies and procedures for purposes of establishing such services  
59 while in the process of adopting such policies or procedures in  
60 regulation form, provided notice of intention to adopt the regulations  
61 is printed in the Connecticut Law Journal no later than twenty days  
62 after implementation and any such policies and procedures shall be  
63 valid until the time the regulations are effective. Any moneys received  
64 by the state as federal reimbursement for optional Medicaid adult  
65 rehabilitation services for the services provided in this subsection shall  
66 be credited to the community mental health restoration subaccount of  
67 the Community Mental Health Strategic Investment Fund, established  
68 under section 17a-485 of the general statutes.

69 (b) The Commissioner of Social Services and the Commissioner of  
70 Mental Health and Addiction Services, in consultation with the  
71 Community Mental Health Strategy Board, established under section  
72 17a-485b of the general statutes, shall enter into an interagency  
73 agreement to authorize the Commissioner of Mental Health and  
74 Addiction Services to provide clinical management of the services  
75 provided under subsection (a) of this section. For purposes of this  
76 subsection, "clinical management" means the process of evaluating and  
77 determining appropriate utilization of mental health services and  
78 providing assistance that may include, but is not limited to, prior  
79 authorization, concurrent and retrospective review, discharge review,  
80 quality management, provider certification and enhancement of  
81 provider performance. The Commissioner of Mental Health and  
82 Addiction Services may certify providers of assertive community  
83 treatment services for purposes of this subsection and subsection (a) of  
84 this section, using criteria that are consistent with nationally  
85 recognized standards of best practice. The Commissioner of Mental  
86 Health and Addiction Services shall adopt regulations, in accordance  
87 with the provisions of chapter 54 of the general statutes, for purposes

88 of certification of such providers. The Commissioner of Mental Health  
89 and Addiction Services shall implement policies and procedures for  
90 purposes of such certification while in the process of adopting such  
91 policies or procedures in regulation form, provided notice of intention  
92 to adopt the regulations is printed in the Connecticut Law Journal no  
93 later than twenty days after implementation and any such policies and  
94 procedures shall be valid until the time the regulations are effective.

95       Sec. 4. (NEW) (*Effective from passage*) (a) The Commissioner of Social  
96 Services, in consultation with the Commissioner of Mental Health and  
97 Addiction Services and the Community Mental Health Strategy Board,  
98 established under section 17a-485b of the general statutes, shall take  
99 such action as is necessary to obtain a waiver from federal law to  
100 establish a Medicaid-financed home and community-based pilot  
101 program to serve at least fifty adults with severe and persistent  
102 psychiatric disabilities who would otherwise require residential  
103 nursing home care.

104       (b) On or before January 1, 2007, the Commissioner of Social  
105 Services, in consultation with the Commissioner of Mental Health and  
106 Addiction Services and the Community Mental Health Strategy Board,  
107 established under section 17a-485b of the general statutes, shall  
108 establish and implement a pilot program in accordance with  
109 subsection (a) of this section to provide community-based services and,  
110 if necessary, housing assistance to adults with severe and persistent  
111 psychiatric disabilities being discharged or diverted from nursing  
112 home residential care. The Commissioner of Social Services and the  
113 Commissioner of Mental Health and Addiction Services shall enter  
114 into an interagency agreement to authorize the Commissioner of  
115 Mental Health and Addiction Services to provide clinical management  
116 of the services provided under this section. For purposes of this  
117 subsection, "clinical management" means the process of evaluating and  
118 determining appropriate utilization of mental health services and  
119 providing assistance that may include, but is not limited to, prior  
120 authorization, concurrent and retrospective review, discharge review,  
121 quality management, provider certification and enhancement of

122 provider performance. The Commissioner of Social Services shall  
123 adopt regulations, in accordance with the provisions of chapter 54 of  
124 the general statutes, for purposes of certification of such providers. The  
125 commissioner shall implement policies and procedures for purposes of  
126 such certification while in the process of adopting such policies or  
127 procedures in regulation form, provided notice of intention to adopt  
128 the regulations is printed in the Connecticut Law Journal no later than  
129 twenty days after implementation and any such policies and  
130 procedures shall be valid until the time the regulations are effective.  
131 On or before January 1, 2007, the Commissioner of Social Services shall  
132 report, in accordance with the provisions of section 11-4a of the general  
133 statutes, on the pilot program under this section to the joint standing  
134 committees of the General Assembly having cognizance of matters  
135 relating to public health and human services.

136 Sec. 5. (*Effective July 1, 2005*) On or before July 1, 2006, the  
137 Commissioner of Mental Health and Addiction Services, in  
138 consultation with the Commissioner of Correction and the Community  
139 Mental Health Strategy Board, established under section 17a-485b of  
140 the general statutes, shall establish and implement a pilot program to  
141 divert or release twenty persons with serious psychiatric disabilities,  
142 otherwise deemed eligible for diversion or release, from correctional  
143 facilities to the community with appropriate housing and treatment  
144 services. On or before January 1, 2007, the Commissioner of Mental  
145 Health and Addiction Services shall report, in accordance with the  
146 provisions of section 11-4a of the general statutes, on the pilot program  
147 under this section to the joint standing committees of the General  
148 Assembly having cognizance of matters relating to public health,  
149 human services and the judiciary.

150 Sec. 6. (NEW) (*Effective from passage*) (a) The Commissioner of Social  
151 Services shall, in consultation with the Commissioner of Mental Health  
152 and Addiction Services and the Community Mental Health Strategy  
153 Board, established under section 17a-485b of the general statutes, take  
154 such action as is necessary to amend the Medicaid state plan to  
155 provide optional adult rehabilitation services that include intensive

156 age-appropriate community rehabilitation services to young adults  
157 with psychiatric disabilities, including young adults being diverted or  
158 discharged from hospitals and diverted or released from correctional  
159 facilities. The Commissioner of Social Services and the Commissioner  
160 of Mental Health and Addiction Services, in consultation with the  
161 Community Mental Health Strategy Board shall enter into an  
162 interagency agreement to authorize the Commissioner of Mental  
163 Health and Addiction Services to provide clinical management of the  
164 services provided under this section. For purposes of this subsection,  
165 "clinical management" means the process of evaluating and  
166 determining appropriate utilization of mental health services and  
167 providing assistance that may include, but is not limited to, prior  
168 authorization, concurrent and retrospective review, discharge review,  
169 quality management, provider certification and enhancement of  
170 provider performance. The Commissioner of Social Services shall  
171 adopt regulations, in accordance with the provisions of chapter 54 of  
172 the general statutes, for purposes of certification of such providers. The  
173 Commissioner of Social Services shall implement policies and  
174 procedures for purposes of such certification while in the process of  
175 adopting such policies or procedures in regulation form, provided  
176 notice of intention to adopt the regulations is printed in the  
177 Connecticut Law Journal no later than twenty days after  
178 implementation and any such policies and procedures shall be valid  
179 until the time the regulations are effective. Any moneys received by  
180 the state as federal reimbursement for optional Medicaid adult  
181 rehabilitation services for the services provided for in this subsection  
182 and subsection (b) of this section shall be credited to the community  
183 mental health restoration subaccount of the Community Mental Health  
184 Strategic Investment Fund, established under section 17a-485 of the  
185 general statutes.

186 (b) On or before January 1, 2006, the Commissioner of Mental  
187 Health and Addiction Services, in consultation with the Community  
188 Mental Health Strategy Board, established under section 17a-485b of  
189 the general statutes, shall, in accordance with subsection (a) of this

190 section, expand young adult services to include all catchment areas in  
191 the state and shall identify additional services not being provided to  
192 young adults with psychiatric disabilities. On or before January 1,  
193 2007, the Commissioner of Mental Health and Addiction Services shall  
194 report, in accordance with the provisions of section 11-4a of the general  
195 statutes, on the implementation of such expanded services and identify  
196 additional services needed to the joint standing committees of the  
197 General Assembly having cognizance of matters relating to public  
198 health and human services.

199       Sec. 7. (*Effective July 1, 2005*) (a) The Commissioner of Children and  
200 Families, in consultation with the Commissioner of Mental Health and  
201 Addiction Services and the Community Mental Health Strategy Board,  
202 established under section 17a-485b of the general statutes, shall  
203 maintain the availability of flexible emergency funding for children  
204 with psychiatric disabilities who are not under the supervision of the  
205 Department of Children and Families at not less than the amount of  
206 such funding provided for the fiscal year ending June 30, 2004.

207       (b) On or before October 1, 2005, the Commissioner of Children and  
208 Families, in consultation with the Commissioner of Mental Health and  
209 Addiction Services and the Community Mental Health Strategy Board  
210 shall provide for an additional thirty care coordinators state-wide.

211       (c) On or before January 1, 2006, the Commissioner of Children and  
212 Families, in consultation with the Commissioner of Mental Health and  
213 Addiction Services and the Community Mental Health Strategy Board  
214 shall (1) provide twelve additional family advocates state-wide; and (2)  
215 expand for an additional three hours each day, including evenings  
216 from 7:00 p.m. to 10:00 p.m. and Saturdays from 10:00 a.m. to 1:00  
217 p.m., during which emergency mobile crisis teams provide services.  
218 Additional support for such extension of hours shall include at least  
219 one licensed staff person and a school liaison for each team to provide  
220 on-site consultation in emergency situations, follow-up services, and  
221 staff training and coordination.

222 Sec. 8. (*Effective July 1, 2005*) On or before October 1, 2007, the  
223 Commissioner of Children and Families, in consultation with the  
224 Commissioner of Mental Health and Addiction Services and the  
225 Community Mental Health Strategy Board, established under section  
226 17a-485b of the general statutes, shall increase from sixteen thousand  
227 to thirty-two thousand hours the respite care available to families of  
228 children with mental illness. The rate paid for such service shall be not  
229 less than thirty dollars per hour.

230 Sec. 9. (NEW) (*Effective from passage*) (a) On or before December 31,  
231 2005, the Commissioner of Social Services, in consultation with the  
232 Commissioner of Children and Families, the Commissioner of Mental  
233 Health and Addiction Services and the Community Mental Health  
234 Strategy Board, established under section 17a-485b of the general  
235 statutes, shall take such action as is necessary to amend the Medicaid  
236 state plan to provide children's rehabilitation services that include the  
237 services provided by the Connecticut Community KidCare Program,  
238 established under section 17a-22a of the general statutes, to children  
239 with mental illness, unless the Commissioner of Social Services, in  
240 consultation with the Commissioner of Children and Families, the  
241 Commissioner of Mental Health and Addiction Services and the  
242 Community Mental Health Strategy Board determines that any such  
243 services may be more appropriately funded under other provisions of  
244 the state Medicaid plan. Such services shall include, but need not be  
245 limited to, additional care coordinators, intensive in-home services,  
246 emergency mobile crisis services and expanded family respite care.

247 (b) Any moneys received by the state as federal reimbursement for  
248 optional Medicaid child rehabilitation services for the services  
249 provided for in this subsection and subsection (a) of this section shall  
250 be credited to the community mental health restoration subaccount of  
251 the Community Mental Health Strategic Investment Fund established  
252 under section 17a-485 of the general statutes.

253 Sec. 10. (*Effective July 1, 2005*) The Supportive Housing Pilots  
254 Initiative, established under section 17a-485c of the general statutes,



255 shall be expanded by the Connecticut Housing Finance Authority to  
256 finance, on or before July 1, 2006, five hundred additional housing  
257 units and, on or before July 1, 2008, an additional five hundred  
258 housing units, throughout the state that shall include supportive  
259 services to families and individuals eligible to reside in such units.  
260 Each of such five hundred additional housing units shall include  
261 construction or substantial rehabilitation of three hundred fifty new  
262 units and leasing one hundred fifty existing units. One hundred fifty of  
263 such five hundred additional housing units shall be designated for  
264 families and three hundred fifty of such five hundred housing units  
265 shall be designated for single adults, including twenty-five for young  
266 adults eighteen to twenty-three years of age.

267       Sec. 11. (NEW) (*Effective July 1, 2005*) (a) On or before January 1,  
268 2006, the Commissioner of Social Services, in consultation with the  
269 Commissioner of Mental Health and Addiction Services and the  
270 Community Mental Health Strategy Board, established under section  
271 17a-485b of the general statutes, shall take such action as is necessary  
272 to amend the Medicaid state plan to provide optional adult  
273 rehabilitation services for adults with severe and persistent psychiatric  
274 disabilities who reside in supported or supervised housing.

275       (b) The Commissioner of Social Services and the Commissioner of  
276 Mental Health and Addiction Services, in consultation with the  
277 Community Mental Health Strategy Board shall enter into an  
278 interagency agreement to authorize the Commissioner of Mental  
279 Health and Addiction Services to provide clinical management of the  
280 services provided under subsection (a) of this section. For purposes of  
281 this subsection, "clinical management" means the process of evaluating  
282 and determining appropriate utilization of mental health services and  
283 providing assistance that may include, but is not limited to, prior  
284 authorization, concurrent and retrospective review, discharge review,  
285 quality management, provider certification and enhancement of  
286 provider performance. The Commissioner of Social Services shall  
287 adopt regulations, in accordance with the provisions of chapter 54 of  
288 the general statutes, for purposes of subsection (a) of this section. The

289 commissioner shall implement policies and procedures for purposes of  
 290 establishing such services while in the process of adopting such  
 291 policies or procedures in regulation form, provided notice of intention  
 292 to adopt the regulations is printed in the Connecticut Law Journal no  
 293 later than twenty days after implementation and any such policies and  
 294 procedures shall be valid until the time the regulations are effective.  
 295 Any moneys received by the state as federal reimbursement for  
 296 optional Medicaid adult rehabilitation services for the services in  
 297 accordance with this section shall be credited to the community mental  
 298 health restoration subaccount of the Community Mental Health  
 299 Strategic Investment Fund established under section 17a-485 of the  
 300 general statutes.

301 Sec. 12. Section 38a-1041 of the general statutes is amended by  
 302 adding subsection (e) as follows (*Effective from passage*):

303 (NEW) (e) On or before October 1, 2005, the Managed Care  
 304 Ombudsman, in consultation with the Community Mental Health  
 305 Strategy Board, established under section 17a-485b of the general  
 306 statutes, shall establish a process to provide ongoing communication  
 307 among mental health care providers, patients, state-wide and regional  
 308 business organizations, managed care companies and other health  
 309 insurers to assure: (1) Best practices in mental health treatment and  
 310 recovery; (2) compliance with the provisions of sections 38a-476a, 38a-  
 311 476b, 38a-488a and 38a-489 of the general statutes; and (3) the relative  
 312 costs and benefits of providing effective mental health care coverage to  
 313 employees and their families. On or before January 1, 2006, and  
 314 annually thereafter, the Managed Care Ombudsman shall report, in  
 315 accordance with the provisions of section 11-4a of the general statutes,  
 316 on the implementation of this subsection to the joint standing  
 317 committees of the General Assembly having cognizance of matters  
 318 relating to public health and insurance.

319 Sec. 13. (*Effective from passage*) The Legislative Program Review and  
 320 Investigations Committee of the General Assembly shall undertake an  
 321 evaluation of compliance with the provisions of section 38a-488a of the

322 general statutes and shall report its findings and recommendations, in  
323 accordance with section 11-4a of the general statutes, to the Governor  
324 and General Assembly on or before January 1, 2007.

325       Sec. 14. (NEW) (*Effective July 1, 2005*) (a) The Commissioner of Social  
326 Services shall increase Medicaid reimbursement rates for enhanced  
327 care clinics that provide mental health services to adults, adolescents  
328 and children in accordance with subsection (b) of this section.

329       (b) On or before October 1, 2005, the Commissioner of Social  
330 Services, in consultation with the Commissioner of Mental Health and  
331 Addiction Services, the Commissioner of Children and Families and  
332 the Community Mental Health Strategy Board, established under  
333 section 17a-485b of the general statutes, shall adopt regulations, in  
334 accordance with the provisions of chapter 54 of the general statutes, to  
335 establish criteria for outpatient clinics, including hospital-based  
336 outpatient clinics, that provide mental health services to adults,  
337 adolescents and children, to be designated enhanced care clinics and to  
338 provide for certification of such provider. The Commissioner of Social  
339 Services shall implement policies and procedures for purposes of such  
340 certification while in the process of adopting such policies or  
341 procedures in regulation form, provided notice of intention to adopt  
342 the regulations is printed in the Connecticut Law Journal no later than  
343 twenty days after implementation and any such policies and  
344 procedures shall be valid until the time the regulations are effective.  
345 The rates of reimbursement to be paid to such enhanced care clinics  
346 shall be annually indexed to eighty-five per cent of the Medicare  
347 reimbursement rate for adult services in effect on January 1, 2006, and  
348 one hundred per cent of the Medicare reimbursement rate for children  
349 and adolescent services in effect on October 1, 2005.

350       Sec. 15. (*Effective July 1, 2005*) On or before October 1, 2005, the  
351 Commissioner of Social Services shall change the present method of  
352 reimbursement for Medicaid-eligible children who receive general  
353 hospital mental health inpatient care so that such rate is calculated on a  
354 per diem, rather than a per discharge, basis.

355 Sec. 16. (NEW) (*Effective July 1, 2005*) For the fiscal year ending June  
356 30, 2006, and biennially thereafter, state payments to private providers  
357 of mental health care for children and adults shall be increased by a  
358 percentage that is at least equal to the average increase in general  
359 wages paid by the state to state employees performing the same or  
360 comparable services during the immediately preceding two fiscal  
361 years.

362 Sec. 17. (*Effective July 1, 2005*) Any provision of sections 1 to 16,  
363 inclusive, of this act that requires that mental health care services be  
364 funded under a federal Medicaid option shall require that increases in  
365 state payments to private providers in accordance with section 16 of  
366 this act apply also to services funded under such Medicaid  
367 rehabilitation option.

368 Sec. 18. Section 17b-11 of the general statutes is repealed and the  
369 following is substituted in lieu thereof (*Effective July 1, 2005*):

370 [(a)] The Commissioner of Social Services is authorized and  
371 empowered to accept any and all allotments of federal funds, federal  
372 funds to match private contributions and commodities, and to manage  
373 and dispose of the same in whatever manner is required by federal  
374 law, and to take advantage of any amendments and supplements to  
375 the federal Social Security Act and of any other federal act relating to  
376 public welfare, and to conform to such federal requirements as are  
377 conditions precedent to the receipt of federal matching grants and are  
378 not prohibited by the general statutes.

379 [(b)] The Commissioner of Social Services shall determine that  
380 portion of social security increases approved by the federal  
381 government or other unearned income which shall be disregarded by  
382 the Department of Social Services in the payment of benefits to  
383 recipients of, and in the determination of eligibility of applicants for  
384 the state supplement program to the Supplemental Security Income  
385 Program. The Commissioner of Social Services, upon application, shall  
386 increase the amount disregarded for unrelated recipients in the state

387 supplement program to the Supplemental Security Income Program  
 388 who share living arrangements. The Commissioner of Social Services  
 389 shall adopt regulations in accordance with the provisions of sections 4-  
 390 166 to 4-176, inclusive, to establish specific dollar amounts to be  
 391 disregarded. Such dollar amounts shall be no less than the amount of  
 392 income from the Supplemental Security Income Program disregarded  
 393 by the Department of Social Services pursuant to the provisions of this  
 394 section in effect on June 30, 1976.]

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2005</i>	New section
Sec. 2	<i>July 1, 2005</i>	New section
Sec. 3	<i>from passage</i>	New section
Sec. 4	<i>from passage</i>	New section
Sec. 5	<i>July 1, 2005</i>	New section
Sec. 6	<i>from passage</i>	New section
Sec. 7	<i>July 1, 2005</i>	New section
Sec. 8	<i>July 1, 2005</i>	New section
Sec. 9	<i>from passage</i>	New section
Sec. 10	<i>July 1, 2005</i>	New section
Sec. 11	<i>July 1, 2005</i>	New section
Sec. 12	<i>from passage</i>	38a-1041
Sec. 13	<i>from passage</i>	New section
Sec. 14	<i>July 1, 2005</i>	New section
Sec. 15	<i>July 1, 2005</i>	New section
Sec. 16	<i>July 1, 2005</i>	New section
Sec. 17	<i>July 1, 2005</i>	New section
Sec. 18	<i>July 1, 2005</i>	17b-11

**PH**            *Joint Favorable Subst.*

**HS**            *Joint Favorable*